

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA

v.

Crim. Action No. 07-174 (KSH)

KEIYAN GOLDEN,
Defendant.

ORDER

Katharine S. Hayden, U.S.D.J.

The Court is in receipt of a submission from defendant Keiyan Golden (D.E. 21) called a Motion to Recall Mandate, which attacks the sentence imposed by the Court on October 15, 2007. (D.E. 18.) Because an appeal of Golden's sentence has not been filed, there can be no mandate to recall, and Golden's submission must be stricken. Assuming Golden seeks to challenge his sentence, the proper avenues of relief are limited to a direct appeal to the U.S. Court of Appeals for the Third Circuit or a motion pursuant to 28 U.S.C. § 2255.

Good cause appearing,

IT IS on this 26th day of May,

ORDERED that Golden's Motion to Recall Mandate is DENIED; and it is further

ORDERED that the Clerk of Court shall provide Golden with appropriate forms consistent with this opinion. Such action by the Clerk is administrative only, and not an indication of the merits of Golden's application.

/s/Katharine S. Hayden
Katharine S. Hayden, U.S.D.J.